

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

FUEL N' GO, INC.	:	
Plaintiff,	:	
	:	
v.	:	CIVIL C.A. No.:
	:	
UNITED STATES	:	
Defendant	:	

**COMPLAINT**

**Introduction**

1. This is an action against the United States for measures taken by and through Defendant's US Department of Agriculture (USDA), Food and Nutrition Service (FNS) concerning Plaintiff's participation in the Supplemental Nutrition Assistance Program (SNAP) as an authorized SNAP retail food store.
2. Plaintiff, Fuel'N'Go, Inc. has been an FNS authorized convenience store since October 17, 2012 and as such, has had an extensive history of engaging in and conducting SNAP related business.
3. After close to eight years of continued SNAP participation, Plaintiff was wrongfully disqualified from the SNAP program for a period of six months due to several alleged violations, the predicate basis for the imposed suspension being section 7CFR § 278.278.6(e)(5) of the SNAP regulations.
4. The final agency suspension of six months decision of the Defendant, United States, rendered by and through its USDA, FNS, was issued on August 4, 2020 and received by Plaintiff's counsel on August 6, 2020.

**Jurisdiction and Venue**

5. Plaintiff, Fuel’N’Go, Inc. brings this action for relief pursuant to Section 14 of the Food and Nutrition Act of 2008 (7 USC 2023) and Section 279.7 of the SNAP regulations, both also vesting venue in this District.

**The Parties**

6. Plaintiff, Fuel’N’Go, Inc. is a Rhode Island Corporation, duly authorized to and does conduct a retail store in Pawtucket, Rhode Island and in particular, has been an authorized FNS convenience store since October 17, 2012.
7. Defendant, United States, is the proper Defendant in this action pursuant to Section 14 of the Food and Nutrition Act of 2008 (7 USC 2023) and Section 279.7 of the SNAP CFR regulations.

**Substantive Allegations**

8. Plaintiff, Fuel’N’Go, Inc. has been improperly and wrongfully suspended from participation as an authorized retail food store in the Supplemental Nutrition Assistance Program by the Defendant by and through its United States Department of Agriculture.
9. Said action and decision by this Defendant to impose a six month disqualification from participation in the SNAP program has caused the Plaintiff substantive financial damages and losses, which are continuing to escalate

**Prayer for Relief**

WHEREFORE, Plaintiff prays that the Court grant the following relief and enter Judgment accordingly:

1. Stay the administrative order pending disposition of this matter.
2. Declare that the Defendant has wrongfully imposed a disqualification upon the Plaintiff;
3. Determine that the underlying Administrative action is invalid
4. Reverse the disqualification and order Defendant to reinstate Plaintiff's Food and Nutrition Service authorization.

Plaintiff, Fuel'N'Go, Inc.,  
By its Attorney,



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